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Plaintiff

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE AUTHORS GUILD et al.)
Plaintiffs)
)
v.) Case No. 05 CV 8136-JES
)
GOOGLE, INC.,)
Defendant.)

OBJECTION

I, (Mr.) Takashi Yamamoto, am a Japanese national and own U.S. copyright to the case review titled "The Who Moved My Cheese? Case" which was published in Japan, a member of the Berne Convention, on April 1, 2002 and registered at the U.S Copyright Office on July 11, 2002 as TX 5-585-888 as shown in the attached Exhibit A, as well as to my other books, articles and printed lectures as listed in the attached Exhibit B which were published before January 5, 2009. Therefore, I am a plaintiff to this case according to the current definition of the Settlement Class and the Author Sub-Class.

I have an objection to the Settlement Agreement and certification of the Settlement Class. The definition of Settlement Class is too broad for this case to be a "case or controversy." The plaintiff class was originally defined as "all persons or

entities that hold the copyright to a literary work that is contained in the library of the University of Michigan.” The originally defined class was in the position to suffer present harm or immediate threat of harm, because the library of the University of Michigan had agreed with defendant Google to scanning all the literary works that are contained in the library. However, the Settlement Class is defined as “All persons that, as of January 5, 2009, have a Copyright Interest in one or more Books or Inserts.” This Class includes Copyright owners whose books are not in the libraries which agreed or are likely to agree to defendant Google’s scanning of their held books. It is said that defendant Google scans the books contained in the libraries with whom defendant Google enters into a cooperative agreement, and that the number of such libraries are not comprehensive but limited to only less than 20.

Therefore, this suit lacks ripeness with respect to such Copyright owners, and this suit does not fall within “case or controversy.”

Dated: August 31, 2009

Tokyo, Japan

By: Takashi Yamamoto

Takashi Yamamoto
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CERTIFICATE OF REGISTRATION



OFFICIAL SEAL



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

REGISTER OF COPYRIGHTS
United States of America

SHORT FORM TX

For a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

Regis

TX 5-585-888



Effective Date of Registration

7-11-02

Application Received

May 3, 2010

Deposit Received

One May 3, 2010 Two

Fee Received

7-11-02

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Title of This Work:		1	Case Review "The Who Moved My cheese? Case"		
Alternative title or title of larger work in which this work was published:					
Name and Address of Author and Owner of the Copyright:		2	Takashi B. Yamamoto Urban Toranomon Bldg, 6th Floor 16-4, Toranomon 1-chome Minato-ku, Tokyo 105-0001 Japan Phone (81) 3-3593-0313 Fax (81) 3-3593-0343 Email bugs@tansolaw.com		
Nationality or domicile: Phone, fax, and email:					
Year of Creation:		3	2002		
If work has been published, Date and Nation of Publication:		4	a. Date April	1	2002
			Month	Day	Year
		b. Nation Japan			
Type of Authorship in This Work:		5	<input checked="" type="checkbox"/> Text (includes fiction, nonfiction, poetry, computer programs, etc.) <input type="checkbox"/> Illustrations <input type="checkbox"/> Photographs <input type="checkbox"/> Compilation of terms or data		
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Registration cannot be completed without a signature.		<input checked="" type="checkbox"/> Author <input type="checkbox"/> Authorized agent X <u>Takashi Yamamoto</u>			
Name and Address of Person to Contact for Rights and Permissions: Phone, fax, and email:		7	<input checked="" type="checkbox"/> Check here if same as #2 above. Phone () Email		

OPTIONAL

8

Name ▼	Takashi B. Yamamoto
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Certificate will be mailed in window envelope to this address:

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*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

June 1999—100,000

WEB REV. June 1999

PUBLICATIONS (BOOKS)

- The Fundamentals of American Copyright Law, 2d Ed.
(Ohta Publishing Co., Japan, 2008)
- E-Commerce and the Law of Digital Signatures (co-authored)
(OCEANA, U.S.A., 2005)
- The Fundamentals of American Copyright Law
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- World Intellectual Property Right and Remedies (co-authored)
(OCEANA, U.S.A., 2001)
- World Copyright Statutes No.29 –U.S. Copyright Act of 1976– (co-translated)
(Copyright Research and Information Center, Japan, 2000)
- World Copyright Statutes No.27 –Digital Millennium Copyright Act– (translation)
(Copyright Research and Information Center, Japan, 1999)
- Copyright Enforcement Manual: Korea
(Gyosei Co., Japan, 1999)
- Amendment to Copyright Law and Unfair Competition Prevention Law (co-authored)
(Yuhikaku Publishing Co., Ltd., Japan, 1999)
- Proposal for a European Parliament and Council Directive on the harmonization of certain aspects of copyright and related rights in the information society (translation)
(Copyright Research and Information Center, Japan, 1998)
- International Protection of Intellectual Property Rights (co-authored)
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- World Antitrust Law and Practice (co-authored)
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- Japanese Court Jurisdiction Over International Cases
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⦿ Moral Rights in the United States

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(Japan Patent Attorneys Association, 2000)
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- Conflict of Laws and Jurisdiction in Copyright Infringement Disputes
(Licensing Executives Society Japan, 2000)
- Digitalization in Japan and the United States: Status of and Lessons from Advanced Development of Infrastructure for Digital Society in the United States, and Advice to Users and Photographers in Japan
(All Japan Federation of Copyrights for Photographers, 1999)
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(Japan Agricultural Development Extension Association, 1999)
- Discussion in WIPO and the Legislative Trend in Europe and the United States on Copyright
(Keidanren, 1999)
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(WIPO National Training Course on International Protection of Copyright and Neighboring Rights, Hanoi & Ho Chi Minh, 1998)
- The Exercise and Management of Copyright and Neighboring Rights: International Practice and the National Experience of Japan
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